

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF PENNSYLVANIA  
ERIE DIVISION

JOSE MALDONADO,  
Plaintiff

v.

JOSHUA A. FILUTZE,  
Defendant

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: Docket No. 1:23-cv-00068  
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: *Electronically Filed*  
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: **JURY TRIAL DEMANDED**

**MOTION FOR EXTENSION OF TIME WITHIN WHICH TO FILE SUPPLEMENTAL  
RESPONSE IN OPPOSITION TO DEFENDANT’S MOTION FOR SUMMARY  
JUDGMENT**

AND NOW comes the Plaintiff, Jose Maldonado, by counsel and respectfully moves this Honorable Court for a one-week extension within which to file his Supplemental Response in Opposition to Defendant’s Motion for Summary Judgement, respectfully representing:

1. Defendant, on April 13, 2023 filed Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 12(B)(6) and supporting papers.

2. On May 4, 2023, Plaintiff filed his Response to Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 12(B)(6) and supporting papers.

3. On May 5, 2023, Defendant filed his Reply to Plaintiff’s Response to Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 12(B)(6) and supporting papers.

4. On May 11, 2023, Plaintiff filed his Motion for Leave to File Sur-Reply Brief.

5. On July 18, 2023, this Honorable Court held a hearing on Defendant's Motion to Dismiss and converted Defendant's Motion to Dismiss to a Motion for Summary Judgment.

6. Pursuant to this Court's Order of July 26, 2023, Plaintiff's Supplemental Brief and exhibits would be due on October 16, 2023.

7. Due to his schedule, counsel for Plaintiff has been unable to complete the Supplemental Brief.

8. Plaintiff's counsel's office has inquired of Defendant's counsel if he would oppose a one-week extension but has not heard back from him.

9. Plaintiff respectfully moves this Honorable Court for an enlargement of time for Plaintiff's Supplemental Brief in Opposition to Defendant's Motion for Summary Judgment to October 23, 2023.

WHEREFORE, Plaintiff respectfully requests the entry to the following Order.

Respectfully submitted,

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Counsel for Plaintiff